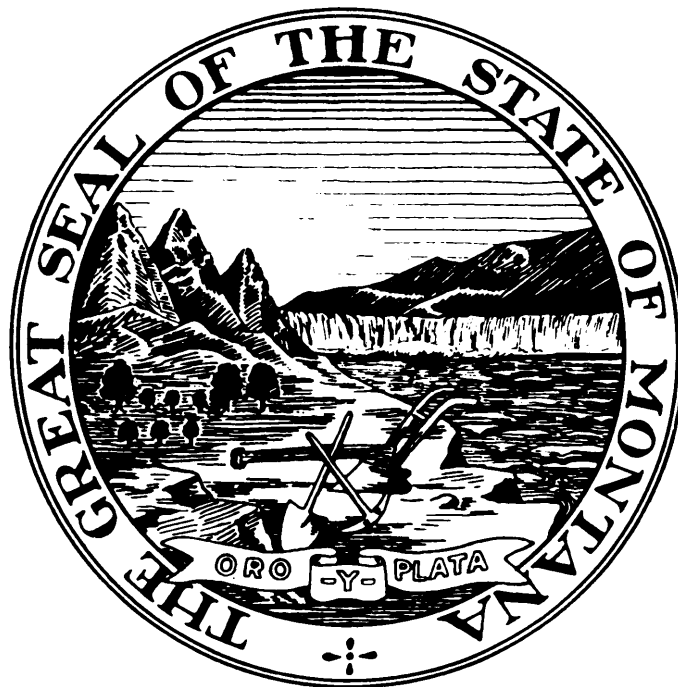


SCHOOL DISCIPLINE DATA REPORTING INSTRUCTION MANUAL

For School Year 2003-2004



**Office of Public Instruction
Linda McCulloch, Superintendent
PO Box 202501
Helena, MT 59620-2501**

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INSTRUCTIONS FOR REPORTING OF SCHOOL DISCIPLINE DATA

SCHOOL YEAR 2003-2004

Due Date: June 30, 2004



NEW

WHAT'S NEW THIS YEAR

- ☐ The name of the data reporting process has been changed from **Suspension/Expulsion Data Reporting** to **School Discipline Data Reporting** to be more consistent with federal data collections.
- ☐ This year, districts and schools will have the **option of reporting school discipline data electronically over the Internet**. The electronic application will be open for data entry starting September of 2003 and will remain open until June 30, 2004. (Instruction Manual for Electronic Submittal may be downloaded from the OPI Web page at <http://www.opi.state.mt.us/safeschools/index.html>.)
- ☐ Several **new incident codes have been added to the category of OTHER** in response to suggestions from school district personnel. These new codes can be found in the Glossary (they are marked as NEW).
- ☐ When entering the **Program Status Code** for a student, there is no longer an option of entering the special education code (12) and Section 504 designation code (A) together. A student cannot be receiving special education under IDEA AND also have a Section 504 plan.
- ☐ If a perpetrator who is a nonstudent is being reported, a perpetrator identifier must be provided (this was not required in last year's data collection). The identifier can be a number(s), letter(s) or a combination of both. If the school does not enter a perpetrator identifier for a nonstudent, the Office of Public Instruction will assign one.

WHAT HAS STAYED THE SAME AS LAST YEAR

The format for reporting school discipline data is the same as was used for suspension/expulsion data reporting last year (2002-2003 school year). The paper log form is basically the same (with some minor changes) and the electronic data entry form is very similar in format to the paper log form.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

The following questions and answers address problem areas that occurred with some frequency in data that were reported last year. Please take the time to read.

1. **Question:** Must a school submit a school discipline report if the school has no incidents to report?

Answer: Yes. A completed report form must be submitted for every school in the district whether the school has incidents to report or not. There is a check box that must be marked if there are no students to report and each report must be submitted to the OPI.

2. **Question:** (*Paper Filers Only*) Can data for several schools in the district be reported on one district form?

Answer: No. School Discipline Data must be reported by individual schools, and a completed report form must be submitted for each school in the district, whether the school has incidents to report or not. In the fall of the year (September), the OPI mails to every school district in the state preprinted report forms for each school within the district. In the spring, the OPI mails a reminder packet to the school district that includes a blank report form (in case the preprinted forms have been misplaced). The school district may use the blank form, but must ensure that a form is prepared for each school within the district. (Using Electronic submittal makes this error much less likely to happen.)

3. **Question:** Would an incident, where the students involved each have different incident codes that pertain to them individually, be reported as two different incidents (example: two students rob the school office – one student carries a knife and the other student carries a gun)?

Answer: No. School discipline data reporting is incident driven. An incident is reported as one incident, even though you use several incident codes to describe the incident. For instance, the above case should be reported as follows: there is one incident with several incident codes that apply – 2600 (robbery), 12 (shotgun/rifle) and 20 (knife); and under that one incident, there are two student perpetrators. It is unnecessary to distinguish which student carried the rifle and which carried the knife. However, action codes for this incident would be specific to each student. The school district can use some discretion in whether to report two separate incidents in certain cases, but the emphasis is on the incident and what/who was involved in that incident.

4. **Question:** How should an incident be reported where the student is suspended for several days until the board of trustees can meet and then the student is expelled – should this be two incidents, one for the suspension and one for the expulsion?

Answer: No. Again, the emphasis is on the incident and there was only one incident to report. The action code should reflect expulsion and the number of days should be the total number of days suspended and expelled for that incident.

5. **Question:** If a student is expelled, must the number of days be reported?

Answer: Yes. The number of school days a student is suspended or expelled is a required field if the perpetrator is a student. If a student is expelled for the remainder of the year, it must be determined, as close as possible, the exact number of school days the student is expelled. If a student is expelled for a full year, the number of days reported should be at least 180 school days.

6. **Question:** Are there certain reporting requirements when a student has brought a firearm to school?

Frequently Asked Questions And Answers (continued)

Answer: Yes. A firearm incident (code 11, 12, or 13) must be reported with an action code that reflects an expulsion (250 – expulsion, placed in interim alternative educational setting or 260 – expulsion, without services). Montana Statute (20-5-202, MCA) requires that boards of trustees must have in place a policy for expelling a student for not less than 1 year if the student is determined to have brought a firearm to school, except that a school board can modify the time on a case-by-case basis. If there was no expulsion involved, then the school must use another incident code to reflect the nature of the incident. Remember that expulsion is a disciplinary action that is only available to a board of trustees, and there must be policies in place in the school district defining the circumstances and procedures for expulsion.

REQUIRED FEDERAL REPORTS THAT USE THESE DATA

ESEA, Title XIV, Part F – Gun-Free Schools Act (GFSA) – The GFSA requires the state education agency to provide data annually to the U.S. Department of Education to ensure the implementation of the Act. Data provided on incidents that involve firearms satisfy this requirement.

ESEA, Title IV – Safe and Drug-Free Schools and Communities Act (SDFSCA) – The SDFSCA requires the state education agency to report data annually on incidents of prohibited behavior on school property, including information about those committing the offense and those victimized by the incident.

Individuals with Disabilities Education Act (IDEA), Part B, Annual Data Report – The state education agency is required to report data annually on incidents involving students with disabilities who have been suspended or expelled for weapons or drugs violations, as well as students unilaterally removed (suspended/expelled) for more than 10 days, or a series of suspensions that totals more than 10 days during the school year reported.

ESEA, Title IX – Unsafe School Choice Option (NCLB) – The U.S. Department of Education requires the state education agency to report annually on the number of schools identified as “persistently dangerous.” The following definition of “persistently dangerous” has been developed by the OPI in consultation with local education agencies and other interested parties:

“A Montana public elementary or secondary school is considered to be persistently dangerous if each of the following two conditions exist:

- 1) in each of three consecutive years, the school has a federal or state gun-free schools violation or a violent criminal offense has been committed on school property, and
- 2) in any two years within a three-year period, the school has experienced expulsions for drug, alcohol, weapons, or violence that exceed one of the following rates:
 - a. more than 5 expulsions for a school of less than 250 students,
 - b. more than 10 expulsions for a school of more than 250 students, but less than 1,000 students,
 - c. more than 15 expulsions for a school of more than 1,000 students.”

GENERAL QUESTIONS ABOUT SCHOOL DISCIPLINE DATA REPORTING

WHO MUST REPORT SCHOOL DISCIPLINE DATA

Every school within every school district in the state must submit a completed School Discipline Report, either electronically or by mailing a paper copy, by June 30, 2004.

WHAT TIME PERIOD DO THESE DATA REPRESENT

Schools will report incidents that take place during the 2003-2004 school year (July 1, 2003, through June 30, 2004).

WHEN IS THE REPORT DUE

Completed report forms from every school in the state must be returned to the OPI, either by mail or electronically, by **June 30, 2004**.

WHAT DATA ARE BEING COLLECTED

Schools are required to report data on all incidents under the following conditions:

- Incidents that result in an out-of-school suspension or expulsion, regardless of the length of time, for any enrolled students; and
- Incidents of weapons, drugs or violence in which the perpetrator was a nonstudent (someone not enrolled in the school such as a dropout, student from another school, etc.).

IF SUBMITTING BY PAPER, RETURN TO

Pat Reichert or Marion Erp
Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501

WHO TO CONTACT WITH QUESTIONS

Pat Reichert - Phone: 406-444-4430, e-mail preichert@state.mt.us
Marion Erp - Phone: 406-444-1951, e-mail merp@state.mt.us

DATA ELEMENTS – WHAT WE'RE LOOKING FOR

The column headings on the paper report form and the headings of each field on the electronic data entry screen have the same or similar names and follow the same sequence. (The instruction manual for electronic submittal may be downloaded from the OPI Web Page at <http://www.opi.state.mt.us/safeschools/index.html>.)

Data elements are broken into three distinct sections – Incident and Victim Codes, Perpetrator Information and Codes, and Action Information and Codes. This section of the instructions describes the data requirements for each data element in the sequence it is found on the paper report form and the electronic data entry screen. Specific code definitions and other relevant definitions can be found in Appendix A of this manual (starting on page 9).

INCIDENT AND VICTIM CODES - For each incident that occurs within a school and results in an out-of-school suspension or expulsion of any length, or any incident of weapons, drugs or violence in which a nonstudent is involved, the following data must be reported.

Incident Date – Enter the date on which the incident occurred.

Location Code – Enter the location code that applies to where the incident occurred.

Location Code	Location Name
100	On Campus
200	Off Campus

Incident Code(s) – Enter ALL incident codes that apply. There are four distinct incident categories – Drugs, Other, Violence, and Weapons. Determine the category that applies to the incident (more than 1 category may apply), and then determine the incident type within the category that most closely describes the incident. Enter the corresponding Incident Type Code in the Incident Code(s) field. For definitions of the incident codes, see the Glossary in Appendix A on page 9.

NOTE: There are 3 new incident codes that have been added to the table below.

Incident Category	Incident Type Code	Incident Type
Drugs	1000	Alcohol
	1600	Drugs (Excluding Alcohol and Tobacco)
	3300	Tobacco
Other	1100	Arson
	1200	Attendance Policy Violation
	1400	Breaking and Entering/Burglary
	1500	Disorderly Conduct
	2200	Insubordination
	2400	Obscene Behavior
	2500	Physical Altercation, Minor
	2900	Other Sexual Offenses (Lewd Behavior, Indecent Exposure)
	3100	Theft
	3400	Trespassing
	3500	Vandalism
	9000	Other Offenses (Forgery, Fraud, Bribery, Larceny)



Incident Category	Incident Type Code	Incident Type
Violence	1300	Aggravated Assault (Battery)
	1700	Fighting (Mutual Altercation)
	1800	Harassment, Nonsexual
	2000	Homicide
	2300	Kidnapping
	2600	Robbery (Involving Physical Harm)
	2700	School Threat (of Destruction or Harm)
	2800	Sexual Battery (Rape)
	3200	Threat/Intimidation
Weapon	11	Handgun
	12	Shotgun/Rifle
	13	Other Firearms
	20	Knife, Blade 2.5" or Greater
	96	Dangerous Weapon
	97	Other Weapons

Victim Code(s) - The victim code captures specific information regarding the individual(s) victimized in the incident, if any. Report all that apply. For each incident, there **MUST** be at least one victim code entered. **If no victims are involved, use code 700.** If victim code 700 is used, no other victim codes can be used. For definitions of the victim codes, see the Glossary in Appendix A on page 13.

Victim Code	Victim Name
100	Student
200	School Personnel
500	Other
600	Nonschool Personnel
700	None

Number of Victims - Enter the number of victims, if any, involved in the incident. If more than one victim code is entered, the appropriate number of victims for each victim code must be entered. Leave blank if there were no victims involved in the incident (victim code 700).

PERPETRATOR INFORMATION AND CODES - Information in this section is directly related to the incident and victim codes. If there were several perpetrators involved in an incident, each shall be listed in this section. All incident codes listed apply to all perpetrators listed for that incident. If the perpetrator reported is a nonstudent, the only other data required is the perpetrator identifier, which may be any combination of numbers or letters.

Perpetrator Code - The perpetrator (offender) is the person or persons who were determined to be responsible for the incident. The perpetrator code identifies specific information about the type of individual(s) involved. All perpetrators involved in an incident shall be listed. For each incident, there **MUST** be at least one perpetrator code entered. Use the appropriate code listed to the right. For definitions of the perpetrator codes, see the Glossary in Appendix A on page 11.

Perpetrator Code	Perpetrator Name
100	Student
640	Nonstudent
999	Unknown

Perpetrator Identifier – This field must be filled out for all perpetrators, whether student or nonstudent. This is a unique identifier that separates this individual from all other individuals reported by the school. It can be initials, number, or combination. A name should not be used. **If a perpetrator is involved in additional incidents, the same identifier for that individual must be used for each additional incident.**

If the perpetrator is a nonstudent, no additional information is required.

Gender Code - If the perpetrator is an enrolled student in the school, gender must be entered.

M	Male
F	Female

Race/Ethnicity Code - If the perpetrator is an enrolled student in the school, a race/ethnicity code must be entered. The general racial or ethnic category that most clearly reflects the individual's recognition in his or her community or with which the individual most identifies shall be used. For definitions of the race/ethnicity names, see the Glossary in Appendix A on page 12.

Code	Race/Ethnicity Name
01	American Indian or Alaskan Native
02	Asian
03	Hispanic
04	Black (not Hispanic)
05	White (not Hispanic)
06	Native Hawaiian/Pacific Islander

Program Status Code - If the perpetrator is an enrolled student in the school, program status must be entered. This code identifies the student as either regular education or special education (receiving services under the Individuals with Disabilities Education Act [IDEA]), as well as whether a student is limited English proficient or has a Section 504 plan.

Code	Program Status
11	Regular Education
A	Section 504 Plan
B	Limited English Proficient
12	Special Education
B	Limited English Proficient

Note: Section 504 is only available for regular education students. If the student is limited English proficient or has a Section 504 plan, then an "A" or "B" is added to the code number. Example: if a student is special education and limited English proficient, the code would be 12B. A student in regular education can be limited English proficient and also have a Section 504 plan (both A and B would then be used). For definitions of limited English proficient and Section 504 plan, see the Glossary in Appendix A on page 12.

Special Education Disability Code - If the perpetrator is an enrolled student in the school and is receiving special education services under the IDEA (Program Status Code is listed as "12"), then a special education disability code or codes must be entered. This information can be found in the student's IEP (if it cannot be found in the IEP, it will be in the student's child study team (CST) report). Choose all that apply.

Code	Disability	Code	Disability
AU	Autism	LD	Learning Disability
CW	Child with Disability	OH	Other Health Impairment
CD	Cognitive Delay	OI	Orthopedic Impairment
DB	Deaf Blindness	SL	Speech/Language Imp
DE	Deafness	TB	Traumatic Brain Injury
ED	Emotional Disturbance	VI	Visual Impairment
HI	Hearing Impairment		

ACTION INFORMATION AND CODES - The Action Codes section must be completed for each perpetrator listed who is an enrolled student in the school.

Action Code - An action code must be entered for each perpetrator who is an enrolled student in the school.

Only one action code shall be used for each perpetrator.

For definitions of the action code names, see the Glossary in Appendix B on page 9.

Action Code	Action Name
250	Expulsion, placed in interim alternative educational setting (referral by school personnel)
260	Expulsion, <u>without services</u>
400	Suspension, out-of-school, placed in interim alternative educational setting (referral by school personnel)
410	Suspension, out-of-school, <u>without services</u>

Length of Removal in School Days - The length of the suspension or expulsion for each perpetrator who is an enrolled student must be entered in **school days**. The length should be reported in decimal form to account for partial days (e.g., full day = 1.00, $\frac{1}{2}$ of a day = .75; $\frac{1}{4}$ day = .50). A student who has been expelled for a "full year" would be expelled for at least 180 **school days** (the total number of days a school is in session in 1 year).

Full-Year Expulsion (Y/N) – for firearms-related incident only
Shortened Expulsion (Y/N) – for firearms-related incident only

If an incident is reported with a code that indicates a firearm ("**Handgun**" – code 11, "**Shotgun/Rifle**" – code 12, or "**Other Firearms**" – code 13), then a "**Y**" or "**N**" must be entered in the appropriate field to signify if the expulsion was for a **full calendar year** or was **shortened by a board of trustees' decision**.

Montana law requires that school districts have a policy in place for the expulsion of a student who is determined to have brought a firearm to school, and that the expulsion must be for a period of not less than **1 calendar year** unless the trustees modify the requirement for expulsion on a case-by-case basis (20-5-202, MCA). See the definition for "expulsion" in the Glossary, Appendix B, on page 9.

NO INCIDENTS TO REPORT - If a school has no incidents that fit the criteria for reporting (see "What Data Are Being Collected" on page 4), the school shall check the box that indicates no incidents to report on either the paper form (lower left hand) or the data entry screen (bottom of the screen).

SIGNATURE/SUBMISSION – Data should not be submitted until the end of the school year to ensure that all incidents throughout the year have been reported.

Electronic submission will not be allowed by the application until May. When all data have been entered, the data must be submitted to the OPI. For electronic submittal, there will be an assurance statement that you will answer "YES" to prior to submittal. For paper filers, the form must be signed and dated at the bottom. Paper filers must include a phone number for contact if there are questions about the data.

APPENDIX A

Glossary

Action Codes

- 250 Expulsion, placed in interim alternative educational setting (referral by school personnel):** The student is expelled by an action of the school board of trustees from his/her current educational setting and placed in an interim alternative educational setting to continue receiving educational services. This includes both students with and without disabilities.
- 260 Expulsion, without services:** The student is expelled by an action of the school board of trustees from all school district settings, with total cessation of educational services.
- 400 Suspension, out-of-school, placed in interim alternative educational setting (referral by school personnel):** The student is removed from his/her current educational setting in accordance with school district policy and placed in an interim alternative educational setting to receive education services. This includes both students with and without disabilities.
- 410 Suspension, out-of-school, without services:** The student is removed from his/her current educational setting in accordance with school district policy and from all school district settings for a specified length of time during which the student does not receive educational services.

Expulsion

Montana Statute 20-5-202, MCA, states that expulsion is a disciplinary action available only to the school district board of trustees. The board of trustees must adopt a policy defining the circumstances and procedures by which the trustees may expel a student.

The statute also states that the trustees of a district must adopt a policy for the expulsion of a student who is determined to have brought a firearm to school for not less than 1 year. However, the 1-year expulsion may be modified by the trustees on a case-by-case basis.

Incident Codes

DRUGS

- 1000 Alcohol:** Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as alcohol. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.
- 1600 Drugs (Excluding Alcohol and Tobacco):** Unlawful use, cultivation, manufacture, distribution, sale, solicitation, purchase, possession, transportation, or importation of any controlled drug (e.g., Demerol, morphine) or narcotic substance.
- 3300 Tobacco:** Possession, use, distribution, or sale of tobacco products.

OTHER

- 1100 Arson:** To unlawfully and intentionally damage, or attempt to damage, any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.
- 1200 Attendance Policy Violation:** Violation of school district, or school policy relating to attendance.



- 1400 Breaking and Entering/Burglary:** Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime.
- 1500 Disorderly Conduct:** Any act that disrupts the orderly conduct of a school function; behavior that substantially disrupts the orderly learning environment.
- New 2200 Insubordination (Disobedience):** Unwillingness to submit to authority, refusal to respond to a reasonable request, or other situations in which a student is disobedient.
- New 2400 Obscene Behavior:** Language or actions, written, oral, physical, or electronic, in violation of community or school standards. Offenses could include displays of affection in violation of school policy, obscene written messages or electronic communication, obscene gestures or language/profanity.
- New 2500 Physical Altercation, Minor:** Confrontation, tussle, or physical aggression that does not result in injury. Offenses could include pushing or shoving.
- 2900 Other Sexual Offenses (Lewd Behavior, Indecent Exposure):** Sexual intercourse, sexual contact, or other behavior intended to result in sexual gratification without force or threat of force. Code statutory rape here. **Note:** Consider age and developmentally appropriate behavior before using this category.
- 3100 Theft:** The unlawful taking of property belonging to another person without threat, violence or bodily harm. Electronic theft of data should be coded here.
- 3400 Trespassing:** To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry.
- 3500 Vandalism:** Willful destruction or defacement of school or personal property.
- 9000 Other offenses (Forgery, Fraud, Bribery):** Any significant incident resulting in disciplinary action not classified previously. Offenses could include bribery, fraud, forgery, resisting arrest, gambling, extortion, or dealing in stolen property.

VIOLENCE

- 1300 Aggravated Assault (Battery):** Touching or striking of another person against his or her will or intentionally causing bodily harm to an individual. This category should be used when the attack is serious enough to warrant calling the police or security or when serious bodily harm occurs. Examples: Striking that causes bleeding, broken nose; kicking while a student is down.
- 1700 Fighting (Mutual Altercation):** Mutual participation in an incident involving physical violence where there is no major injury.
- 1800 Harassment, Nonsexual:** Repeatedly annoying or attacking a student or group of students or other personnel which creates an intimidating or hostile educational or work environment. Examples: bullying or hazing.
- 2000 Homicide:** Killing a human being.
- 2300 Kidnapping:** Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage-taking.
- 2600 Robbery (Involves Physical Harm):** The taking of, or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and theft is that the threat of physical harm or actual physical harm is involved in a robbery.
- 2700 School Threat (of Destruction or Harm):** Any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff. Example: bomb threat.

- 2800 Sexual Battery:** Oral, anal, or vaginal penetration forcibly or against the person's will or where the victim is incapable of giving consent. Includes rape, fondling, indecent liberties, child molestation, and sodomy.
- 3200 Threat/Intimidation:** Physical, verbal, written, or electronic action that immediately creates fear or harm without displaying a weapon and without subjecting the victim to actual physical attack.

WEAPON

- 11 Handgun:** The weapon involved was a handgun or pistol. Must result in an expulsion hearing before the board of trustees.
- 12 Shotgun/Rifle:** The weapon involved was a shotgun or rifle. Must result in an expulsion hearing before the board of trustees.
- 13 Other Firearms:** The weapon involved was another type of firearm not named above, including zip guns, starter guns, and flare guns. As defined by the Gun-Free Schools Act, other firearms include:
- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;
 - The frame or receiver of any weapon described above;
 - Any firearm muffler or firearm silencer; and
 - Any destructive device, which includes:
 - Any explosive, incendiary (e.g., bomb, grenade), or poison gas;
 - Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
 - Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
- Must result in an expulsion hearing before the board of trustees.
- 20 Knife, Blade 2.5" or Greater:** The weapon involved was a knife with a blade of **at least** 2.5 inches in length or **greater than** 2.5 inches in length.
- 96 Dangerous Weapon:** A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such a term does not include a pocket knife with a blade of less than 2 _ inches in length. [Source: 18 U.S.C §930(g)(2)] If the weapon involved was a knife with a blade of 2 _ inches in length or greater, report the incident under the Knife code above.
- 97 Other Weapons:** The incident involved a weapon other than those described above.

Location Codes

- 100 On Campus:** The incident occurred on school property or in a school building.
- 200 Off Campus:** The incident occurred off school property or not in a school building.

Perpetrator Codes

- 100 Student:** The perpetrator is an individual who is enrolled in an instructional program in the reporting school at the time the incident occurred.
- 640 Nonstudent:** The perpetrator is a nonstudent youth (e.g., dropout, student from another school).

Program Status Codes

- 11 Regular Education:** The student is receiving education services in the regular education program.
- 12 Special Education:** The student is a student with disabilities who qualifies for special education and related services under the Individuals with Disabilities Education Act (IDEA) and in receiving those services in accordance with an Individualized Education Program (IEP).
- A Section 504 Plan:** A plan developed to provide services and/or accommodations/modifications to a regular education student so that he/she may benefit from the education process. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities, including students, parents and staff members. The IDEA defines as eligible only students who meet the criteria for specified types of impairments and who, because of those conditions, need special education and related services. Section 504, on the other hand, covers all students with disabilities. These students are defined as having any physical or mental impairment that substantially limits one or more major life activities, including, but not limited to, learning.

A student who is eligible for special education and related services under IDEA will not have a Section 504 plan. Any accommodations necessary will be written into the student's IEP under IDEA.

- B Limited English Proficient:** An individual who is aged 3 through 21, is enrolled or preparing to enroll in an elementary or secondary school, and:
- a) who was not born in the United States or whose native language is a language other than English;
 - b) who is American Indian or Alaskan Native, or a native of the outlying areas; and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - c) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the state's proficient level of achievement on state assessments; the ability to successfully achieve in classrooms where the language of instruction is English; or the opportunity to participate fully in our society.

Race/Ethnicity Codes

- 01 American Indian or Alaskan Native:** Any individual a) who is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940, and those recognized by the state in which they reside, or who is a descendant, in the first or second degree*, of such members, or b) is considered by the Secretary of the Interior, Bureau of Indian Affairs or Indian Health Service, to be an Indian for any purpose, or (c) is an Eskimo or Aleut or other Alaskan native.
- *First degree refers to parents and second degree refers to grandparents.
- 02 Asian:** A person having origins of any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinents. This area includes, for example, China, India, Japan, and Korea.
- 03 Hispanic:** A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- 04 Black (not Hispanic):** A person having origins in any of the black racial groups of Africa.
- 05 White (not Hispanic):** A person having origins in any of the original peoples of Europe, North Africa or the Middle East.

- 06 Native Hawaiian/Pacific Islander:** A person having origins in any of the original peoples of Hawaii or the Pacific Islands. This area includes, for example, Guam, the Philippine Islands, Samoa, and Tahiti.

Suspension

Montana Statute 20-4-302(5), MCA, states that in a district employing neither a district superintendent nor a principal, the teacher has the authority to suspend a pupil for good cause. And, when either a district superintendent or a school principal is employed, only the superintendent or principal has the authority to suspend a pupil for good cause.

Montana Statute 20-5-202(1), MCA, states that the trustees of a district must adopt a policy defining the authority and procedure to be used by a teacher, superintendent, or principal in suspending a student.

Montana Statute 20-5-202(3) states that a teacher, superintendent or principal must suspend immediately for good cause a student who is determined to have brought a firearm to school (until the board of trustees can act on the expulsion).

Victim Codes

- 100 Student:** The victim is an individual who is enrolled in an instructional program in the reporting school at the time the incident occurred.
- 200 School Personnel:** The victim is employed at the reporting school at the time the incident occurred.
- 500 Other:** The victim can't be identified in any of the listed categories for victims.
- 600 Nonschool Personnel:** The victim is an individual who does not attend or work for the school (e.g., parent, community member, volunteer).
- 700 None:** Use this code for incidents where no persons are victimized.